

## **REMARKS**

### **STATUS OF THE CLAIMS**

Claims 97-99, 103-109, 112, 113, and 115-128 are pending and stand rejected. In response, claims 97-99, 103-108, 112, 113, 115, 117-122, and 128 are amended. New claims 129-133 have been added. Claims 97-99, 103-109, 112, 113, and 115-133 are pending upon entry of this amendment.

### **REJECTION UNDER 35 U.S.C. §102**

Claims 97, 103-105, 107-109, 113, 120-121, and 128 were rejected under 35 U.S.C. §102(e) as being anticipated by Horn (US Patent 7,013,289). Applicants respectfully traverse this rejection.

Independent claim 97 recites a computer-implemented method for displaying information comprising:

- in response to receiving a search query for a product, searching an index of articles that describe products for sale;
- identifying, based on the index searching, a plurality of articles from the index of articles that are responsive to the search query;
- obtaining, based on the search query, at least one price for the product and at least one image of the product from each of the identified articles by:
  - automatically selecting and extracting a price for the product from a first article of the identified articles;
  - automatically selecting and extracting an image for the product from the first article based on the price;
  - repeating the selection and the extraction of prices and images for each of the identified articles; and
- displaying, as a combined search result set, each of the prices extracted and the images extracted for the product from the identified articles.

Horn, in contrast, describes a system for “organizing and displaying product categories for selection by Buyers,” using “sequential drop-down menus.” Horn, col. 15, lines 3-10. Horn’s “Global Store System provides a drill-down four-step navigational process to a buyer, allowing

the buyer to find a Category of products to view.” *Id.* at col. 34, lines 60-65. The “Global Store responds to a Buyer’s request for product views” by providing a buyer-language-specific “sequence of HTML frames that include HTML embedded forms (one for each of four drop-down menus used in navigating through a taxonomy to select a Category).” *Id.* at col. 33, lines 25-30. The product layout represents virtual floors in a store, including a floor for Departments, for Groups, for Families, and for Categories. *See id.* at col. 15, lines 28-45; col. 33, lines 25-42; col. 34, lines 41-67; col. 35, lines 1-13. The user shops by selecting a Department (e.g., “Apparel”) from the drop-down menu, selecting a Group (e.g., “Women’s Apparel”) on the next menu from that Department, selecting a Family (e.g., “Women’s Outerwear”) on the next menu from that Group, and then selecting a Category (e.g., “Women’s Jackets”) on the next menu from that Group. *Id.* “Having selected a Category of products the view, the Buyer receives a Web page displaying a number of products—their descriptions, images, prices, and links for getting more information.” *Id.* at col. 42, lines 63-67.

While Horn does disclose shopping via sequential drop-down menus, Horn does not disclose the method of claim 1. First, Horn fails to disclose “***identifying, based on the index searching, a plurality of articles from the index of articles that are responsive to the search query.***” At most, Horn discloses providing to a buyer a sequence of drop-down menus with a number of Departments/Families/Groups/Categories from which the user can choose, and then ultimately providing a web page displaying a number of products in response to the user selecting a Category. Horn, col. 33, lines 25-42; col. 42, lines 63-67. However, this is not an identification, based on a search of an index of articles, a plurality of articles (e.g., web pages or shopping documents, etc.) that are responsive to a search query for a product. Thus, Horn fails to disclose this element of claim 1.

Second, Horn does not disclose “*obtaining, based on the search query, at least one price for the product and at least one image of the product from each of the identified articles.*”

Horn provides at most a web page of products in response to the user’s selection of a particular Category of products (e.g., Women’s Jackets) on a drop-down menu. Horn does not obtain prices/images *based on a search query for a product*. Further, while the web page provided to the user can include prices and images for all of the products in the Category, Horn does not describe obtaining at least one price for the product and at least one image of the product *from each of the identified articles* (e.g., web pages or shopping documents, etc.). Thus, Horn fails to disclose this element of claim 1.

Third, Horn does not disclose “*automatically selecting and extracting a price for the product from a first article of the identified articles.*” The Examiner stated that Horn discloses that the “buyer chooses to purchase at wholesale prices,” which the Examiner argues is selecting a price. Office Action, p. 3. However, the buyer choosing to purchase at wholesale prices is not an *automatic selection and extraction* of a price for the product. Although Horn mentions providing a web page to a buyer that include prices for products, the prices were not *automatically selected and extracted* as claimed. The mere fact that a price for a product is *displayed* on a web page does not imply that the system has *selected or extracted* that price for the product. Further, the price in Horn is not selected from a first article of a plurality of identified articles (identified based on the index searching). Thus, Horn fails to disclose this element of claim 1.

Fourth, Horn does not disclose “*automatically selecting and extracting an image for the product from the first article based on the price.*” The Examiner pointed to Horn’s description of a “manufacturer’s URL for product thumbnail and wherein the hyperlink is clickable within the area of the thumbnail and wherein thumbnail is interpreted to be a small version of a photo or

image browsers commonly display thumbnails of photos several or even dozens at a time.” Office Action, p. 15. However, the clickable thumbnail photos are not described to be in any way linked to or otherwise *based on the price*, nor are they *automatically selected or extracted from a first article* based on price. Although Horn mentions providing a web page to a buyer that include images for products, the mere fact that an image for a product is *displayed* on a web page does not imply that the system has *selected or extracted* that image for the product, much less selected the image based on the price. Rather, the conventional web pages described by Horn are simply pre-programmed, or “hardwired,” to include the images. *See* Horn, col. 42, line 62 to col. 43, line 45. Thus, Horn fails to disclose this element of claim 1.

Fifth, Horn does not disclose “***repeating the selection and the extraction of prices and images for each of the identified articles.***” Since Horn does not disclose selecting/extracting prices and images from the first article as claimed, Horn also does not disclose selecting/extracting prices and images from the other identified articles. Thus, Horn fails to disclose this element of claim 1.

Sixth, Horn does not disclose “***displaying, as a combined search result set, each of the prices extracted and the images extracted for the product from the identified articles.***” At most, Horn discloses a buyer selecting a Category of products on a drop-down menu, and receiving a web page displaying a number of products in the Category. Horn, col. 42, lines 63-67. However, this is not a display of *each of the prices extracted and the images extracted for the product from the identified articles*. As explained above, Horn does not even disclose the selection/extraction of prices/images for the product from a first article, much less selection/extraction of prices/images from a plurality of articles for display as a combined search result set. Thus, Horn fails to disclose this element of claim 1.

The other independent claims (claims 120 and 121) are allowable for at least the reasons stated above with regard to claim 97. Furthermore, the Examiner argued above regarding certain buyer actions taken in Horn. However, claims 120 and 121 recite a system and a computer program product, respectively. Thus, the buyer taking the actions noted by the Examiner cannot meet the claimed limitations of claims 120 and 121 that are directed to a system and computer program code performing certain actions.

Accordingly, Horn fails to disclose all of the elements of the independent claims, and so cannot disclose all of the elements of the claims depending therefrom. Therefore, Applicants respectfully request that this rejection be reconsidered and withdrawn.

### **Rejections under 35 U.S.C. §103**

Claims 98-99, 106, 115-119, and 122-127 were rejected under 35 U.S.C. §103(a) as unpatentable over Horn in view of Aggarwal (US Patent 6,728,706) in further view of Venkatraman (WO/0113273). Applicants respectfully traverse this rejection. As claims 98-99, 106, 115-119, and 122-127 depend from the independent claims, the arguments regarding Horn advanced above are hereby incorporated to apply to these claims, as well.

Aggarwal does not remedy the above-described deficiencies of Horn. Aggarwal describes searching product catalogs and attempts to improve search results by learning an “implied concept” of a shopper’s search activity. Aggarwal, Abstract and col. 3, lines 14-38. Specifically, Aggarwal provides search results by evaluating “similarity functions.” Aggarwal, col. 3, lines 62 to col. 4, line 20. A similarity function computes a similarity score for products stored in a product database based on feature of the products. *See* Aggarwal, col. 5, line 64 to col. 6, line 9. For example, a similarity function might compute a similarity score for sedans or t-shirts. *See* Aggarwal, col. 10, lines 48-67. Hence, Aggarwal’s “similarity functions” are used

to select products from a database, not prices/images from an article. Aggarwal does not teach each of the elements described above to be missing from Horn.

Venkatraman also does not remedy the above-described deficiencies of Horn and Aggarwal. Venkatraman discusses searching “for nodes of a stored data structure that satisfy a received search result.” *See* Venkatraman, Abstract. However, Venkatraman fails to disclose the elements cited above as missing from Horn. Although Figures 1C and 1D of Venkatraman illustrate the display of images on a web page, these figures are merely illustrations of conventional web pages preprogrammed to include images. As stated above, the mere fact that a price/image for a product is *displayed* on a web page does not imply that the system has *selected or extracted* that price/image for the product, much less selected/extracted the image based on the price.

Accordingly, the cited combination of references fails to disclose all of the elements of the dependent claims, and Applicants respectfully request that this rejection be reconsidered and withdrawn.

### **Conclusion**

For the above reasons, Applicants respectfully submit that the pending claims are allowable because they are neither anticipated nor obvious in view of the cited reference. The dependent claims not specifically mentioned above incorporate the limitations of their base claims and are allowable for at least the same reasons. Accordingly, Applicants respectfully request allowance of the application. The Examiner is invited to contact the undersigned by telephone in order to advance the prosecution of this case.

Respectfully Submitted,

Date: August 28, 2009

By: / Antonia L. Sequeira /

Antonia L. Sequeira, Esq., Reg. No.: 54,670  
Fenwick & West LLP  
Silicon Valley Center  
801 California Street  
Mountain View, CA 94041  
Tel.: (650) 335-7185  
Fax.: (650) 938-5200